

## **REMARKS**

### **Rejections Under 35 USC § 112, First Paragraph (Written Description and New Matter)**

The subject matter of original claims 8-11 and 12-21 were referenced in the specification in the last two paragraphs, respectively, of page 8. But, the material from these claims was not reproduced in the specification. The specification is amended to insert the material from these original claims. No new matter is added since the original claims are part of the application.

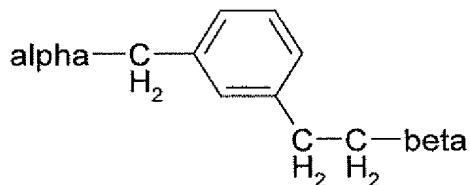
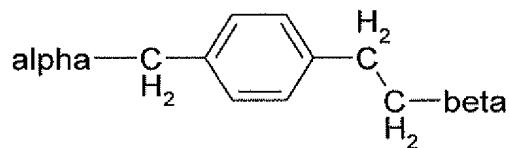
Since claims are not normally cited in the specification, the subject matter of these claims in the specification are now called aspects, i.e., aspect 8, aspect 9, etc., instead of claim 8, claim 9, etc.

Claims 8-11 are rejected for lack of written description and as allegedly indefinite. In the formula depicted in the definition of "L" the variable "u" is present, which "u" is not defined. However, the variable "n" is defined immediately after the formula, while no "n" is present in the formula. One or one of ordinary skill in the art would understand this to mean that a typing error occurred and that the definition of "n" immediately under the formula containing "u," must be the definition of u. Correcting this obvious error to the obviously correct solution is not new matter. See *In re Oda*, 443 F.2d 1200, 170 USPQ 268 (CCPA 1971). (A change to correct an error is not considered new matter if "one skilled in the art would appreciate not only the existence of an error in the specification but what the error is.") This same correction is also made in the material inserted into the specification.

### **Rejections Under 35 USC § 112, Second Paragraph**

The definition of "u" is inserted in to claim 8 as discussed above.

The phrase in claim 26, i.e., "wherein phenylene group 1,4 or 1,3 is linked," provides further structural details on the group  $\alpha\text{-CH}_2\text{-C}_6\text{H}_4\text{-O-CH}_2\text{CH}_2\beta$ , which contains a phenylene group, i.e., " $\text{-C}_6\text{H}_4\text{-}$ ." What is meant by this phrase is that the alpha  $\text{CH}_2$  group on the one side of the phenylene group and the  $\text{-O-CH}_2\text{CH}_2\text{-}$  beta group on the other side of the phenylene group are attached to said phenylene group in either the 1 and 4 positions or in the 1 and 3 positions. To further clarify this, said terminology is replaced by the structure of these groups drawn as follows



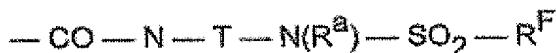
Claim 27 is amended by the deletion of "example 10."

The typing error pointed out by the Office Action is fixed in claim 29.

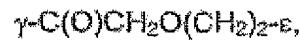
Markush terminology is attended to in the claims.

#### Other Claim Amendments

In claim 8, applicants noticed that in the definition of R<sup>a</sup>, the group "-CO-N-T-N(R<sup>a</sup>)-



SO<sub>2</sub>-R<sup>F</sup>" was present instead of " | , " which was present in the application as originally filed. The originally filed formula is inserted back.



In claim 37, in the definition of Z, the group " " was missing. This group was present in the originally filed claim 37, and was never formally deleted. Thus, it is inserted back into this dependent claim. Page 25 of the English translation of the application also contains this group in the definition of Z.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,  
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